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## ORANGE COUNTY WATER DISTRICT

*Orange County's Groundwater Authority*

3/20/07 Bd Wksnp Item 8  
**Water Recycling**  
Deadline: 3/27/07 5 pm

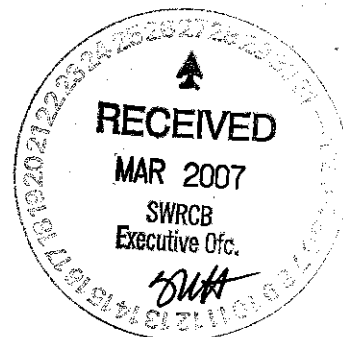
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MICHAEL P. WEHNER  
*Acting General Manager*

March 27, 2007

Tam M. Doduc, Chair, and Members  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812  
Attention: Song Her, Clerk to the Board



**Subject: Consideration of Adopting a New Water Recycling Policy**

Dear Chair Doduc and Members of the Board:

The Orange County Water District (OCWD) appreciates the opportunity to provide comments on the State Board's consideration of adopting a new water recycling policy.

OCWD is both a water recycler and a downstream agency that is potentially affected by recycling upstream. OCWD operates a 7.5 million gallon per day (mgd) water recycling project for irrigation and industrial water users. Starting in November 2007, OCWD will operate a 70 mgd water recycling project for control of seawater intrusion and groundwater recharge.

OCWD manages the Orange County Groundwater Basin, which is located at the lower end of the Santa Ana River Watershed. In the upper part of the watershed, several agencies engage in water recycling activities. OCWD has a long history of working together with these agencies and the Santa Ana Regional Board so that the upstream water recycling projects do not negatively affect downstream beneficial uses. A significant amount of this coordination has focused on managing salt and nitrogen concentrations in the watershed. Collaborative, watershed-wide management efforts, together with the brineline called the Santa Ana Regional Interceptor, are keys to the success of this consensus-based program.

OCWD provides the following comments on the State Board's consideration of adopting a new water recycling policy:

1. OCWD supports the State Board's development of a new policy on water recycling.
2. OCWD supports maintaining the state's anti-degradation policy, embodied in State Board Resolution 68-16. Resolution 68-16 has worked well for forty years and does not need to be changed.
3. In developing the new policy, the State Board should provide direction regarding the determination of maximum benefit. Although Resolution 68-16 does not need to be changed, it would be beneficial to have additional direction from the State Board regarding

the important phrase 'maximum benefit to the people of the State' contained in Resolution 68-16. In conducting an anti-degradation analysis and determining whether a lowering of water quality is justified based on the project providing maximum benefit to the people of the state, OCWD provides the following thoughts:

- a. The determination of maximum benefit should be based on consideration of all the factors associated with a project;
  - b. Factors to consider include but are not limited to:
    - i. Whether the project provides a new source of water;
    - ii. Whether the project uses less energy than the alternative water supply;
    - iii. Whether the water recycling project would provide new recycling or supplant water recycling already occurring downstream;
  - c. These factors should be weighed against the potential lowering of water quality associated with a recycling project;
  - d. It would be difficult, if not impossible, to develop an exact formula for this determination. However, OCWD suggests that if a recycling project positively satisfies a number of the factors above, provides new water recycling, is consistent with the other factors in Resolution 68-16, and has no organized opposition, the water recycling project should be presumed to be to the maximum benefit of the state. This presumption should be rebuttable, but is a good starting point.
  - e. The regions should retain some flexibility in making the determination of maximum benefit.
4. The Santa Ana Region is ahead of many areas in the state in salt and nutrient management plans and the amount of water recycling currently in-place; any new state policy should not be to the detriment of the integrated watershed approach already developed in the Santa Ana Region;
5. Flexibility at the regional level is important; watershed planning requires regional flexibility.

We would like to thank the State Board and the State Board staff for engaging in a policy discussion regarding water recycling. Increased water recycling plays an important role in meeting California's water needs. Water recycling can make a significant contribution to satisfying the state's water needs and water recycling's role can be achieved while protecting the quality of the waters of the state.

Sincerely,



Michael P. Wehner  
Acting General Manager

cc: Mary Grace Pawson/Winzler & Kelly Consulting Engineers  
Roberta Lawson/Somach, Simmons & Dunn  
Jerry Thibeault/Executive Officer, Santa Ana Regional Board